

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

RICKY WADE MURPHREE,)
)
Petitioner,)
) CIVIL ACTION NO.
v.) 2:07cv832-MHT
)
STATE OF ALABAMA and)
TROY KING, Attorney)
General of the State)
of Alabama,)
)
Respondents.)

ORDER

This cause is now before the court on petitioner's notice of appeal (Doc. No. 8), which the court is treating as a motion for certificate of appealability.

To obtain a certificate of appealability the prisoner must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds that the petitioner has failed to make this showing.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability is denied.

DONE, this the 26th day of November, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE